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MAR 26 2021

CLERK, U.S. DISTRICT COURT
FOR THE WESTERN DISTRICT
OF PENNSYLVANIAIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

2:21-cv-399

Name and address of Plaintiff:

William P JACKSON 30458
950 Second Ave ACT
Pgh PA 15219

v.

Full name, title, and business address
of each defendant in this action:

1 Warden Orlando Harper
950 Second Ave ACT
Pgh PA 15219

2 Chief Deputy David Zettwo
950 Second Ave ACT
Pgh PA 15219

Use additional sheets, if necessary
Number each defendant.

Plaintiff brings this action against the above named and identified defendants on the following cause of action:

I. Where are you now confined? Allegheny Co JailWhat sentence are you serving? Pre Trial detaineeWhat court imposed the sentence? N/A

II. Previous Lawsuits

A. Describe any and all lawsuits in which you are a plaintiff which deal with the same facts involved in this action. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiffs N/ADefendants N/A

2. Court (if federal court, name the district; if state court, name the county) and docket number

N/A

3 Deputy Laura Williams
950 Second Ave ACT
Pgh PA 15219

4 Major Adam Smith
950 Second Ave ACT
Pgh PA 15219

5 Detention Mr Wilson
950 Second Ave ACT
Pgh PA 15219

6 SGT Gerber
950 Second Ave ACT
Pgh PA 15219

7 Capt Frank
950 Second Ave ACT
Pgh PA 15219

3. Name of judge to whom case was assigned N/A

4. Disposition (For example: Was the case dismissed? Was it appealed? Is it still pending?)

N/A

5. Approximate date of filing lawsuit N/A

6. Approximate date of disposition N/A

B. Prior disciplinary proceedings which deal with the same facts involved in this action:

Where? N/A

When? N/A

Result: N/A

III. What federal law do you claim was violated? _____

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

A. Date of event: 5-21-20 To Present

B. Place of event: Allegheny Co Jail

C. Persons involved--name each person and tell what that person did to you: MAJOR SMITH IS THE SEGREGATION MAJOR. HE PLACED ME IN THE R HV CHANGED MY STATUS FROM PC PROTECTIVE CUSTODY STATUS TO ADM CUSTODY. PER GULSON POLICY INMATES WITH SEPARATIONS HAVE TO BE SWITCHED OUT EVERY 30 DAYS TO ENSURE FAIRNESS. PER MAJOR SMITH AND CAPT FRANK I WAS SWAPPED WITH MY SEPARATION AND STAYED IN THE R HV FOR 3-3 1/2 MONTHS BEFORE BEING MOVED TO NEOCC. I AM NOW BACK SINCE 3-9-21 AND IMMEDIATELY PLACED ON AC STATUS. I HAVE NO INFECTIOUS. I AM ONLY ENTITLED TO A HR RECREATION PER DAY. I SHOWER 3X PER WEEK A HAIR CUT EVER OTHER MONTH 2-3 HRS PER DAY IN MY CELL CAUSING ATYPICAL AND SIGNIFICANT HARSHSHIP. I CANNOT GO TO RECREATION DUE TO INMATES THROWING URINE AND FECES ON OR AT ME. MY STATUS WAS CHANGED BY MAJOR SMITH DUE TO MY COMPLAINTS AGAINST DEPUTY WILLIAMS THE MEDICAL DIRECTOR OVER BEING DENIED PREVIOUS DENTAL TREATMENT, "RETALIATORY CONDUCT" CAPT FRANK ALSO RETALIATED DUE TO MY PREVIOUS COMPLAINT ABOUT THE JAIL

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C. Stating I refused CT and All my charges were waived That I faced WAS A Lie. I am on AC STATUS without a misconduct investigation No WRITTEN or VERBAL reason why, when I See PRC Major Smith 4x plus he JUST Says I'll Think About letting you out when Theres Room But Theres Room EveryTime he says This. A PRC Hearing is Suppose To Be more Then A mere FLUFF. I am A PRETRAIL Detainee And Should not Be PUNISHED for The US CONSTITUTION, AND AM ENTITLED TO A WRITTEN NOTICE OF The Reason I AM A-C STATUS. EQUAL protection CLAUSE. My Separations are Getting Full Rec, Hair CUTS weekly, Access To The Gym, BASKETBALL, Hand Ball, TV, inmate phones, Hot water Interaction with others. Policy was used to place me in The R.HU STATING Inmates with Separations will be Swapped out Every 30 days To ensure Fairness It's been over 4 months and I haven't been swapped Back.

① I Have 3 Teeth That need Fillings/Crowns and All Are causing Severe pain. 2 are Front Teeth That The Dentist AT N.E.O.C.C and Indiana County Jail STATED can be Fixed prior To coming Here 3-9-21 when I got in inmate I Told The medical Dept of my pain and need for Treatment and was told we'll get it fixed on 3-12-21 after Complaining multiple times to multiple people The Dentist came to see me, "Mr Wilson" and He STATED yeah they can be fixed But I need Crowns. maybe you can get them fixed at another jail we don't do them here, per The US CONST Eighth Amend The court reasoned that since Incarceration denied PRISONERS the ABILITY to care for themselves The Government has AN OBLIGATION to provide Care(dental) medical for us.

② When transferred Aug 2020 my property: Legal work was suppose to be sent with me for some reason mine was left behind NEACC called about it. I spoke directly to Chief Deputy Zettwo on a weekly basis who stated it will be here until you get back in March for your trials. 3-9-21 I came back There are 2 Transcripts I paid for that are missing. Shoes 20⁰⁰, Hygiene TOTAL 40⁰⁰, Clothing TOTAL OF 470⁰⁰ Transcripts TOTAL 120⁰⁰, 2 Radios, 50⁰⁰ Envelopes Batteries and Bowls and cups TOTAL OF 40-50⁰⁰ ESTIMATE VALUE OF 400⁰⁰+

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Sgt Gerber was holding my property per Deputy Zetwo. Deputy Zetwo said he would hold it.

③ IN APPROX JULY 2020 CHIEF DEPUTY ZETWO CALLED ME TO LEVEL 1-M TO TALK TO ME WHERE I GOT THERE. HE WAS WITH A COUNTY DETECTIVE AND WE BEGAN TO TALK AT A POINT CHIEF ZETWO STARTED SAYING YOU THE PLAINTIFF GOT ALL KINDS OF MONEY. I SAID NO I DON'T. HE THEN SAID YES YOU DO. FROM THAT SAFE FROM THE BURGLARY YOUR CHARGED WITH I NOTICED THE AUDIO AND VIDEO FROM THE INTERVIEW ROOM WAS ON SO. I TOLD CHIEF I AM REPRESENTED BY COUNSEL. AND WE SHOULDNT BE DISCUSSING MY PENDING LEGAL MATTERS. AND THE AUDIO AND VIDEO IS ON SIR. HE JUST LAUGHED.

④ CHIEF ZETWO WAS ACTING AS A AGENT FOR THE STATE UNDER THE STATE ACTOR LAW VIOLATING MY RIGHT TO COUNSEL BY QUESTIONING ME WITHOUT MY COUNSEL PRESENT. NOT TELLING ME THE AUDIO AND VIDEO WERE ON.

COMPLAINT

CEASE AND DESIST REQUEST

PLAINTIFF: WILLIAM P JACKSON 301458, BRINGS THIS ACTION UNDER THE UNITED STATES CONSTITUTION CIVIL RIGHTS ACTION FIRST, SECOND, FOURTH, FIFTH, EIGHTH AND FOURTEENTH AMENDMENT. DELIBERATE TWDIFFERENCE, FAILURE TO ACT CARELESS AND UNUSUAL PUNISHMENT, ATYPICAL AND SIGNIFICANT HARSH/TD
RETALIATORY CONDUCT, INFJCTION AND MONTION OF PAIN, BLATENT DISREGARD FOR A SERIOUS MEDICAL/DENTAL NEED, RIGHT TO DUE PROCESS, EQUAL PROTECTION CLAUSE. PLAINTIFF SEEKS INJUNCTIVE AND DECLARATORY RELIEF, ATTORNEY FEES AND COMPENSATORY AND PUNITIVE DAMAGES FROM WENDELL HARPER, CHIEF ZETWO, DEPUTY WILLIAMS, MAJOR SMITH, CAPT FRANK, SGT GERBER, MAJOR SMITH, DENTIST WILSON AND THE ALLEGHENY CO JAIL ET AL.

I. JURISDICTION OF VENUE, THE COURT HAS JURISDICTION OVER PLAINTIFF'S FEDERAL LAW CLAIMS PURSUANT TO THE UNITED STATES CONSTITUTION FIRST, SECOND, FOURTH, FIFTH, EIGHTH AND FOURTEENTH AMENDMENTS.

II. PLAINTIFF HAS COMPLIED WITH ALL APPLICABLE GRIEVANCE PROCEDURES

III. THE AMOUNT OF DAMAGES REQUESTED EXCEED \$15,000 PER DEFENDANT ELUSIVE OF JURISDICTION AND COSTS.

IV. THE DEFENDANTS TRANSACT WITHIN THE COMMONWEALTH OF PENNSYLVANIA

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OF Furthermore Defendants Civil Rights Violations And
Practices were committed within The Commonwealth of PA.

PARTIES

① PLAINTIFF IS A male Prisoner who resides at The Allegheny Co Jail
IN The Commonwealth of PA

② ON OR ABOUT May 2020 Plaintiff complained About Being Retaliated
Against For his Good Faith Use of The Inmate Grievance System and
Being Threatened With Being Placed in The RHU. Plaintiff on
OR ABOUT 3-9-21 Complained About Severe pain due To 3 Teeth
Hurting 1 The whole Filling Fall out leaving A Sharp Exposed
Front tooth causing Severe pain when EATING or DRINKING and
2 Other Teeth That need Treatment.

③ Plaintiff Requested WRITTEN or Verbal Reasons why he is Again
Placed on AC STATUS in The RHU and NOT on 6F where
he was for 12 months with NO INFRACTIONS, and/or Swapped
OUT per policy after 30 days.

④ ON OR ABOUT 3-10-21 Plaintiff's Family spoke to CHIEF ZETTWO who
Informed them they found my missing property and IT WILL BE SENT
UP Friday 3-12-21. WASN'T done.

⑤ IN OR ABOUT July 2020 Plaintiff was Questioned By CHIEF ZETTWO
ON A pending Legal matter while he is represented by COUNSEL.
CHIEF ZETTWO WAS ACTING AS A AGENT for THE STATE.

⑥ From Jan 2020 until Present Plaintiff complained about DENTAL
TREATMENT AND major Smith's Policy's which resulted in several
ASSAULTS on 6F. After These legitimate Complaints AGAINST major
Smith and Deputy LAURA Williams (who are Companions) Plaintiff
was sent to The RHU and STATUS SWITCHED from P.C STATUS TO
AC STATUS. STATING Every 30 Days Separations will be switched out
per policy. Plaintiff has been in The RHU 4-4½ months. NO
WRITTEN or VERBAL REASON NO PRC Hearing To Determine His
STATUS.

⑦ Captain Frank who Plaintiff complained about NOT Doing her Duty's AS
Plan Coordinator. Retaliated By Conspiring With major Smith and Deputy
Williams To place me in The RHU WITH NOT EVEN A 48 hr lock in let alone
A misconduct in 19 months.

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8 Chief Deputy Zetwo and Warden Harper Have Been Made Aware OF This Numerous Times And Failed To ABATE IT AS Direct Supervisors Learned OF The Violation Of my Rights And Failed To do anything To Fix The Situation

- (B) Being Direct Supervisors Created The policy or custom Allowing or encouraging The illegal ACTS OR
- (C) The Supervisors Failed To Inadequately Train or Supervise his Subordinates

FIRST COURT

(9) paragraphs 1-8 Are Incorporated herin reference
 (D) The ACTS Failure To ACT And Policy's OF Defendants Set Forth Above CONSTITUTE Deliberate Indifference, Retaliatory conduct, cruel AND UNUSUAL PUNISHMENT, ATYPICAL AND SIGNIFICANT Hardship, Failure To ACT Failure To TRAIN Subordinates EQUAL PROTECTION clause, Due process, STATE ACTOR LAW A WIMBOW INFILCTION OF PAIN. Under The UNITED STATES CONST FIRST, Second, Fourth Fifth Eighth Fourteenth Amendment

(II) RELIEF REQUESTED

- (A) For Each OF The Above Claims Plaintiff Respectfully Requests That This COURT Grant Judgement IN his favor Against Defendants And Award Him Relief Included But NOT Limited To The Following.
- (B) INJUNCTIVE Relief Directing Defendants TO cease and desist Any AND ALL Retaliation, Release him From AC STATUS, Repair his Serious Denial Needs crunk/fittings. Replace his Stolen Legal Work/property
- (C) Cease and desist ANY Further Denial OF Due process, Denial care Due process To A PRC Hearing. Retaliatory conduct. Placed Back ON GF.
- (D) Money Damages For pain and suffering For 4 $\frac{1}{2}$ months OF Being ON AC STATUS i) The R HV, 2 $\frac{1}{2}$ months OF Denied Denial care AND Still ongoing: 250⁰⁰ per Defendant per day ON Individual AND OFFICIAL CAPACITY
- (E) Reimbursement OF ALL Expenses and Financial losses Plaintiff has Incurred Copy's, mail AS A RESULT OF Defendants ACTIONS.
- (F) Declaratory Relief Declaring The ACTS AND Practices OF Defendants TO BE IN VIOLATION OF THE UNITED STATES CONSTITUTION First, Second, Fourth Eighth and Fourteen Fifth Amend
- (G) Reasonable ATTORNEY Fees

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16. Compensatory Damages

17. Punitive Damages

18. Such other relief as this court shall deem appropriate

(20) When A inmate Files a case The court shouldt dismiss The
COMPLAINT unless he FAILS TO STATE A CLAIM OR CONSTITUTIONAL
VIOLATION

Respectfully Submitted
Plaintiff William P Jackson 30458

MOTION TO Provide copies. Due To Jail Denying Them

(1) PLAINTIFF IS BEING RETALIATED AGAINST. Refused sick calls Requested
TOLD THE JAIL DONT PROVIDE COPIES WITHOUT COURT ORDER. DENIED
A HAIR CUT, TRIMMERS TO SHAVE. CANT GO TO YARD/CAGES due TO
STAFF SPREADING RUMORS WITH THE OTHER INMATES WHO HAVE TRIED TO
SPIT ON PLAINTIFF THRU URINE AND FECES ON PLAINTIFF

(2) PLAINTIFF Respectfully Requests A order To Have The JAIL provide
COPIES TO PLAINTIFF AND A COPY OF THIS ORIGINAL SO I CAN GET
THEM TO COMPLY WITH THE COURTS INSTRUCTIONS OR COURT PROVIDE
THEM THIS IS MY ONLY COPY AND I NEED A COPY THANKS IN ADVANCE

Respectfully Submitted

William P Jackson
30458

V. Did the incident of which you complain occur in an institution or place of custody in this District?

If so, where?

Allegheny co Jail

and answer the following questions:

A. Is there a prisoner grievance procedure in this institution?

Yes () No ()

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes () No ()

C. If your answer is YES,

1. What steps did you take? Requests, Grievances denied Talked To chief Zettwo
MAJOR Smith CAPT Young,

2. What was the result? Denied

D. If your answer is NO, explain why not: _____

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities?

Yes () No ()

F. If your answer is YES,

1. What steps did you take? _____

2. What was the result? _____

VI. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Please See 6 page Summary

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

3-16-21
(Date)

William P Jackson
(Signature of Plaintiff)